

REMARKS

Claims 1-26 remain in the present application. By this Amendment, claims 1 and 25 are amended. The amendments are made solely for clarity, and not related to patentability. No new matter is added. Claims 1, 25, and 26 are the independent claims.

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

The Examiner has imposed a Restriction Requirement, and requested that Applicants elect one of two identified groups of claims for prosecution in connection with the present application. The groups of claims are as follows:

Group I: claims 1-24, drawn to a feeding system; or

Group II: claims 25 and 26, drawn to a method for feeding animals.

Applicants provisionally elect Group I, including claims 1-24, with traverse. Applicants specifically reserve the right to file divisional application(s) directed to non-elected claims 25 and 26.

With regard to Applicants' traversal, it is respectfully submitted that this application is a National Stage of PCT International Application PCT/SE05/00024, which is governed under the PCT *lack of unity* invention rules. Accordingly, the Restriction Requirement asserts that the inventions of Groups I and II do not relate to a *single general inventive* concept under PCT Rule 13.1 because the groups lack the same or corresponding special technical features. Applicants respectfully request reconsideration and withdraw of the Restriction Requirement.

In the Restriction Requirement, on page 2, the Examiner states that "Group II lacks STF of a control device for controlling the analyzer as called for in Group I." However, it is respectfully submitted that all of the claims are directed to a single general inventive concept because the special technical features are found in both independent claims 1 and 25, e.g., "measuring the amount of at least one constituent of solid feed to be fed to said animals in real time or near real time, repeatedly, and at least once a day by an analyzer device provided on the farm; and feeding said animals repetitively and at each instant depending on the last one of said repeatedly performed measurements by a feeding device." Therefore, the subject matter of all claims does form a single general inventive concept.

In addition, it is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one group would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and examination of the entire application could be performed without serious burden. M.P.E.P. § 803 states:

[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine on the merits, even though it includes claims to distinct or independent invention. (*emphasis added*)

Thus, it is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants' and duplicated examination by the Patent Office.

Further, the invention should be independent or distinct, and

there must be a serious burden on the Examiner if a restriction is not required. See M.P.E.P. § 803.092, 806.04 A through J, 808.01(a) and 808.02.

Accordingly, Applicants respectfully submit that the Examiner would not be unduly burdened if forced to examine Groups I and II together.

For all of the above stated reasons, reconsideration and withdrawal of the outstanding Restriction Requirement and favorable allowance of all claims in the instant application are earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, PLC

By

John A. Castellano, Reg. No. 35,094

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

JAC/DJC:clc